



STATE OF WISCONSIN Assembly Journal

Ninety-Sixth Regular Session

THURSDAY, September 18, 2003

The Chief Clerk makes the following entries under the above date:

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 29** offered by Representative Ziegelbauer.

Assembly amendment 1 to **Assembly Bill 212** offered by committee on **Criminal Justice**.

Assembly amendment 2 to **Assembly Bill 242** offered by committee on **Ways and Means**.

Assembly amendment 1 to **Assembly Bill 285** offered by committee on **Natural Resources**.

Assembly substitute amendment 1 to **Assembly Bill 306** offered by committee on **Criminal Justice**.

Assembly substitute amendment 1 to **Assembly Bill 365** offered by Representative Nischke.

Assembly substitute amendment 1 to **Assembly Bill 409** offered by Representative Musser.

Assembly amendment 1 to **Assembly Bill 431** offered by committee on **Ways and Means**.

Assembly substitute amendment 1 to **Assembly Bill 519** offered by Representatives Gunderson, M. Williams and Sherman.

Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 519** offered by Representative M. Williams.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Resolution 24

Relating to: commending and congratulating Raymond G. Boland on his retirement as secretary of the Wisconsin Department of Veterans Affairs.

By Representative Musser.

To committee on **Rules**.

Assembly Joint Resolution 45

Relating to: commending and congratulating Raymond G. Boland on his retirement as secretary of the Wisconsin Department of Veterans Affairs.

By Representative Musser; cosponsored by Senator Brown.

To committee on **Rules**.

Assembly Bill 521

Relating to: bulk transfers of inventory.

By Representatives McCormick, Nischke, Staskunas, Hahn, Honadel, Krawczyk, Gronemus, Weber and Gielow; cosponsored by Senators Kanavas, Stepp, Lassa, Reynolds and Roessler.

To committee on **Economic Development**.

Assembly Bill 522

Relating to: creating a certified capital company income and franchise tax credit.

By Representatives McCormick, Nischke, Staskunas, Hahn, Krawczyk, Gronemus, Weber, Gielow and Ott; cosponsored by Senators Kanavas, Stepp, Lassa, Reynolds and Roessler.

To committee on **Economic Development**.

Assembly Bill 523

Relating to: repealing certain filing, notice, and bidding requirements related to industrial development revenue bonds.

By Representatives McCormick, Nischke, Staskunas, Hundertmark, Seratti, Hahn, Honadel, Albers, Krawczyk, Friske, Gronemus, Weber, Gielow and Ott; cosponsored by Senators Kanavas, Stepp, Reynolds and Roessler.

To committee on **Economic Development**.

Assembly Bill 524

Relating to: creating an income and franchise tax credit for equity investments in a venture capital fund, creating an equity investment individual income tax credit, and granting rule-making authority.

By Representatives McCormick, Nischke, Staskunas, Seratti, Hahn, Albers, Krawczyk, Friske, Gronemus, Weber, Gielow and Ott; cosponsored by Senators Kanavas, Stepp, Lassa, Reynolds and Roessler.

To committee on **Economic Development**.

Assembly Bill 525

Relating to: transferring certain alcohol beverage licenses to premises in another municipality within the same county.

By Representatives Petrowski, Friske, Montgomery, Gunderson, Huber, Van Roy, Hundertmark, Ainsworth, M.

Lehman, Hahn and Seratti; cosponsored by Senators Kanavas, Zien and Decker.

To committee on **State Affairs**.

Assembly Bill 526

Relating to: waiver of filing fee if parties stipulate to certain revisions of judgment or order.

By Representatives Albers, Musser, Bies, Hahn, McCormick, F. Lasee, J. Lehman, Seratti and Staskunas; cosponsored by Senators Roessler, A. Lasee and Lassa.

To committee on **Corrections and the Courts**.

Assembly Bill 527

Relating to: the effectiveness of county shoreland zoning ordinances in cities, villages, or towns that annex county shoreland areas and enforcement of those ordinances.

By Representatives Gunderson, Gottlieb, Bies, Grothman, Hahn, Hines, Kestell, Ladwig, F. Lasee, Loeffelholz, Lothian and Petrowski; cosponsored by Senators Stepp, A. Lasee and Lazich.

To committee on **Urban and Local Affairs**.

Assembly Bill 528

Relating to: Joint Committee on Finance review of stewardship acquisitions.

By Representatives Kaufert, D. Meyer, Huebsch, Ward, Rhoades, Stone, Gard, Albers, M. Williams, Towns, Lothian, LeMahieu, Vrakas, Suder, Seratti, Hahn, Hines, Owens, Ainsworth, Nass, F. Lasee, Olsen, Musser, Hundertmark, McCormick, Van Roy and Weber; cosponsored by Senators Darling, S. Fitzgerald, Harsdorf, Kanavas, Lazich, Welch, Schultz, Zien and Stepp.

To committee on **Property Rights and Land Management**.

Assembly Bill 529

Relating to: remediation of objectionable flows of electric current, burden of proof and damages in certain actions against public utilities, making an appropriation, and providing penalties.

By Representatives Gronemus, J. Wood, Black, Ainsworth, Berceau, Pocan, Young and A. Williams; cosponsored by Senators George and Risser.

To committee on **Energy and Utilities**.

Assembly Bill 530

Relating to: suspending the Department of Natural Resources rule related to limits on bridges over wild rivers.

By joint committee for review of Administrative Rules.

To committee on **Natural Resources**.

Assembly Bill 531

Relating to: certified capital investment limitations, qualified business requirements, creating a certified capital company income and franchise tax credit for insurers, certified capital company office, qualified distributions of certified capital companies, certified capital company net worth, certified capital company investment reporting requirements, treatment of qualified investments that become nonqualified, permitted nonqualified investments, reviews of certified capital company financial statements, requesting a

performance audit, and requiring the exercise of rule-making authority.

By Representatives Ward, McCormick, Nischke, Turner, Jensen, Huebsch, Vrakas, Berceau, Ladwig, Staskunas, Albers, M. Lehman, Towns, Plouff, Hahn, Taylor, Gronemus, Ott, Jeskewitz, Gielow, Musser, Hines, J. Fitzgerald, Richards, Coggs, Pocan and Krug; cosponsored by Senators Kanavas, Moore, Stepp, Leibham, Darling, Erpenbach, M. Meyer, Robson, Harsdorf, Kedzie, Brown, Lassa, Plale, Jauch, Wirch, Hansen and Roessler.

To committee on **Economic Development**.

COMMITTEE REPORTS

The committee on **Corrections and the Courts** reports and recommends:

Assembly Bill 101

Relating to: juvenile in need of protection or services jurisdiction over a juvenile who commits a 3rd alcohol beverage violation.

Assembly Amendment 1 adoption:

Ayes: 11 – Representatives Bies, Albers, Underheim, Owens, F. Lasee, Suder, Honadel, Pocan, Colon, Staskunas and Wasserman.

Noes: 0.

Passage as amended:

Ayes: 11 – Representatives Bies, Albers, Underheim, Owens, F. Lasee, Suder, Honadel, Pocan, Colon, Staskunas and Wasserman.

Noes: 0.

To joint committee on **Finance**.

Assembly Bill 152

Relating to: creating a board to investigate and make recommendations regarding inmate deaths.

Assembly Amendment 1 to Assembly Substitute Amendment 1 adoption:

Ayes: 9 – Representatives Bies, Underheim, Owens, F. Lasee, Honadel, Pocan, Colon, Staskunas and Wasserman.

Noes: 2 – Representatives Albers and Suder.

Assembly Substitute Amendment 1 adoption:

Ayes: 9 – Representatives Bies, Underheim, Owens, F. Lasee, Honadel, Pocan, Colon, Staskunas and Wasserman.

Noes: 2 – Representatives Albers and Suder.

Passage as amended:

Ayes: 9 – Representatives Bies, Underheim, Owens, F. Lasee, Honadel, Pocan, Colon, Staskunas and Wasserman.

Noes: 2 – Representatives Albers and Suder.

To committee on **Rules**.

Assembly Bill 294

Relating to: using digital recordings of a child's testimony.

Passage:

Ayes: 11 – Representatives Bies, Albers, Underheim, Owens, F. Lasee, Suder, Honadel, Pocan, Colon, Staskunas and Wasserman.

Noes: 0.

To committee on **Rules**.

GAREY BIES
Chairperson
Committee on Corrections and the Courts

The committee on **Criminal Justice** reports and recommends:

Assembly Bill 265

Relating to: causing substantial bodily harm to another person and providing a penalty.

Passage:

Ayes: 12 – Representatives Suder, Friske, Owens, F. Lasee, Gundrum, Petrowski, Vukmir, Colon, Pocan, Taylor, Turner and Schneider.

Noes: 0.

To committee on **Rules**.

Assembly Bill 375

Relating to: leaving the scene of an accident and providing a penalty.

Passage:

Ayes: 9 – Representatives Suder, Friske, Owens, Gundrum, Petrowski, Vukmir, Pocan, Turner and Schneider.

Noes: 3 – Representatives F. Lasee, Colon and Taylor.

To committee on **Rules**.

SCOTT SUDER
Chairperson
Committee on Criminal Justice

The committee on **Housing** reports and recommends:

Assembly Bill 347

Relating to: enforcement of the one- and two-family dwelling code in certain cities, villages, and towns.

Assembly Substitute Amendment 1 adoption:

Ayes: 5 – Representatives Wieckert, Townsend, Kreibich, Olsen and Krusick.

Noes: 0.

Passage as amended:

Ayes: 5 – Representatives Wieckert, Townsend, Kreibich, Olsen and Krusick.

Noes: 0.

To joint committee on **Finance**.

Assembly Bill 370

Relating to: termination of a tenancy if notice given regarding drug or criminal gang activity.

Assembly Amendment 1 adoption:

Ayes: 5 – Representatives Wieckert, Townsend, Kreibich, Olsen and Krusick.

Noes: 0.

Passage as amended:

Ayes: 5 – Representatives Wieckert, Townsend, Kreibich, Olsen and Krusick.

Noes: 0.

To committee on **Rules**.

STEVE WIECKERT
Chairperson
Committee on Housing

The committee on **Insurance** reports and recommends:

Senate Bill 176

Relating to: authorizing municipal insurance mutuals to provide property insurance.

Concurrence:

Ayes: 14 – Representatives Ladwig, Wieckert, Underheim, F. Lasee, McCormick, Weber, Gielow, Van Roy, Cullen, Shilling, Huber, Plouff, J. Lehman and Berceau.

Noes: 0.

To committee on **Rules**.

BONNIE LADWIG
Chairperson
Committee on Insurance

The committee on **Judiciary** reports and recommends:

Assembly Bill 458

Relating to: operating a vehicle or operating or going armed with a firearm after using certain controlled substances and providing penalties.

Passage:

Ayes: 6 – Representatives Gundrum, McCormick, Albers, Grothman, Kerkman and Cullen.

Noes: 0.

To committee on **Rules**.

Assembly Bill 475

Relating to: marriage between one man and one woman.

Passage:

Ayes: 6 – Representatives Gundrum, McCormick, Albers, Grothman, Kerkman and Cullen.

Noes: 0.

To committee on **Rules**.

MARK GUNDRUM
Chairperson
Committee on Judiciary

The committee on **Natural Resources** reports and recommends:

Assembly Bill 197

Relating to: the types of captive animals that may be used in training hound dogs.

Passage:

Ayes: 9 – Representatives Johnsrud, Gunderson, Ott, Pettis, Bies, Krawczyk, M. Williams, Gronemus and Steinbrink.

Noes: 2 – Representatives Black and Miller.

To committee on **Rules**.

Assembly Bill 519

Relating to: the feeding of deer and elk.

Assembly Amendment 1 to Assembly Substitute Amendment 1 adoption:

Ayes: 10 – Representatives Johnsrud, Gunderson, Ott, Pettis, Bies, Krawczyk, M. Williams, Black, Gronemus and Steinbrink.

Noes: 1 – Representative Miller.

Assembly Substitute Amendment 1 adoption:

Ayes: 11 – Representatives Johnsrud, Gunderson, Ott, Pettis, Bies, Krawczyk, M. Williams, Black, Gronemus, Steinbrink and Miller.

Noes: 0.

Passage as amended:

Ayes: 10 – Representatives Johnsrud, Gunderson, Ott, Pettis, Bies, Krawczyk, M. Williams, Black, Gronemus and Steinbrink.

Noes: 1 – Representative Miller.

To committee on **Rules**.

DUWAYNE JOHNSRUD
Chairperson
Committee on Natural Resources

SPEAKER'S COMMUNICATIONS

September 12, 2003

Mr. Patrick Fuller
Chief Clerk, Wisconsin State Assembly
Room 208, Risser Justice Center
17 West Main Street
Madison, Wisconsin 53708

Dear Patrick:

Pursuant to Assembly Rule 42 (3)(c), I am withdrawing **Assembly Bill 507 and Assembly Bill 508** from the Assembly Committee on Economic Development and re-referring them to the Joint Committee on Finance. Pursuant to Assembly Rule 42 (1)(c), I am simultaneously

referring Assembly Bill 507 to the Joint Survey Committee on Tax Exemptions.

Please call Ellen Nowak of my office if you have any questions.

Sincerely,
JOHN G. GARD
Speaker

SPEAKER'S APPOINTMENTS

September 18, 2003

Mr. Patrick Fuller
Chief Clerk, Wisconsin State Assembly
Room 208, Risser Justice Center
17 West Main Street
Madison, Wisconsin 53708

Dear Patrick:

I have appointed Representative Mark Honadel to the Assembly Committee on Insurance. Representative Honadel will be vacating his position on the Assembly Committee on Corrections and the Courts.

Please call Ellen Nowak of my office if you have any questions.

Sincerely,
JOHN G. GARD
Assembly Speaker

COMMUNICATIONS

September 4, 2003

Speaker John Gard
State Capitol 211 West
Madison, WI 53708

Dear Speaker Gard:

I respectfully request the appointment of Representative Louis Molepske to the following committees:

Agriculture
Financial Institutions
Rural Affairs
Workforce Development

Representative John Steinbrink will be vacating his position on the Agriculture Committee.

Thank you for your consideration of these requests. Please feel free to contact me if you have any concerns or questions.

Sincerely,
JIM KREUSER
Assembly Democratic Leader

September 18, 2003

Mr. Patrick Fuller
Assembly Chief Clerk
Room 208, Risser Justice Center
Madison, WI

Dear Chief Clerk Fuller:

We have now made a final decision on the Republican seating assignment in regards to our increased majority.

Representative Rob Kreibich will be moving to Seat 92, Representative Dan Meyer will be moving to Seat 44 and Representative Mark Honadel will be sitting in Seat 43.

Also, please note that Representative Mark Pettis had temporarily moved to Seat 92 and Representative Mark Honadel was temporarily seated in Seat 47 while we were in session in August. Representative Mark Pettis will move back to his original seat, Seat 47.

If you have any questions, please do not hesitate to contact me or Bonnie in my office at 6-3007.

Sincerely,
DANIEL P. VRAKAS
State Representative
33rd Assembly District

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Department of Administration
Madison

August 29, 2003

To the Honorable, the Legislature:

This report is transmitted as required by s. 20.002(11)(f), Wisconsin Statutes, (for distribution to the appropriate standing committees under s. 13.172(3), Wisconsin Statutes), and confirms that the Department of Administration has found it necessary to exercise the "temporary reallocation of balances" authority provided by this section in order to meet payment responsibilities and cover resulting negative cash balances during the month of July 2003.

On July 29, 2003, the **Information Technology Investment Fund** cash balance closed at its monthly low of a negative \$1.0 thousand. The negative balance continued through July 31, 2003, when the balance closed at a negative \$1.0 thousand.

The negative balance was due to the difference in the timing of revenues and expenditures.

On July 1, 2003, the **General Fund** cash balance closed at a negative \$363.0 million. Negative balances persisted throughout the month, with intermittent positive balances. The General Fund closed at an intramonth low of a negative \$762.7 million on July 30, 2003. The General Fund closed at a negative \$622.4 million on July 31, 2003.

The Information Technology Investment Fund and the General Fund shortfalls were not in excess of the statutory interfund borrowing limitation and did not exceed the balances of the funds available for interfund borrowing.

The distribution of interest earnings to investment pool participants is based on the average daily balance in the pool and each fund's share. Therefore, the monthly calculation by the State Controller's Office will automatically reflect the use of these temporary reallocations of balance authority, and as a result, the funds requiring the use of the authority will effectively bear the interest cost.

Sincerely,
MARC J. MAROTTA
Secretary

Referred to committee on **Ways and Means**.

State of Wisconsin
Department of Health and Family Services
Madison

September 9, 2003

To the Honorable, the Assembly:

In accordance with sec. 1.11 (2)(j) Wis. Stats., the Department of Health and Family Services reports that it conducted one Environmental Assessment during the reporting period of July 1, 2002, through June 30, 2003.

The Environmental Assessment was done for the project to construct a new Administration and Armory Building at the Wisconsin Resource Center in Winnebago, WI. It was determined that the construction of this building does not have a significant negative effect on the environment.

Sincerely,
HELENE NELSON
Secretary

Referred to committee on **Natural Resources**.